

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FELIX PICHARDO,

Petitioner,

v.

PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

) Case No. CV 12-4430 SVW(JC)

) ~~(PROPOSED)~~

) ORDER ACCEPTING FINDINGS,
) CONCLUSIONS, AND
) RECOMMENDATIONS OF UNITED
) STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for a Writ of Mandamus ("Petition"), which it has construed to be a Petition for Writ of Habeas Corpus, and all of the records herein, including the attached Report and Recommendation of United States Magistrate Judge. The Court approves and accepts the United States Magistrate Judge's Report and Recommendation.

IT IS ORDERED that the Petition and this action are dismissed without prejudice because the Petition is wholly unexhausted.

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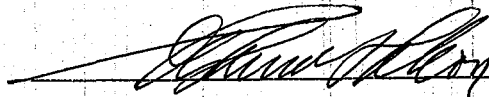
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1 IT IS FURTHER ORDERED that the Clerk shall serve copies of this Order,
2 the United States Magistrate Judge's Report and Recommendation, and the
3 Judgment herein on petitioner and on any counsel for respondent.

4 LET JUDGMENT BE ENTERED ACCORDINGLY.

5 DATED: 2/26/13

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8 HONORABLE STEPHEN V. WILSON
9 UNITED STATES DISTRICT JUDGE
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